Entered 07/17/09 10:11:32 Desc Main Case 08-35653-KRH Doc 4156 Filed 07/16/09 Page 1 of 2 Document

> IN THE UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF VIRGINIA RICHMOND DIVISION Ē

Chapter 11

CIRCUIT CITY STORES, INC.,

Debtors.

Et al.,

In re:

U.S. BANKRUPTCY COURT Case No. 08-35653 (KRH)

RICHMOND DIVISION

JUL 1 6 2009

CLERK

Jointly Administered

BRIEF IN OPPOSITION TO OBJECTION TO CLAIM

Now comes the Respondent, Dish It Up, Inc., claim #8264, and hereby requests a hearing regarding the debtors' objection to its claim as a priority claim.

Respondent indicates that its claim is a priority claim under Code Section 507(a)(4)(B) in that it was earned within one hundred and eighty days by a corporation with only one employee acting as an independent contractor for services for the debtor in the ordinary course of business and that in the preceding months, 100% of the amount earned by the corporation was for services to the debtor. The respondent's last check for these services was refused. (See proof of claim 8264)

Wherefore, Respondent prays that the objection be denied and its claim be allowed as a priority claim as above stated.

Respectfully submitted.

Thomas C. Pavlik (0917305) Novak, Robenalt & Pavlik, LLP

Skylight Office Tower 1660 W. 2nd Street

Cleveland, Ohio 44113-1419

Phone (216)781-8700 Facsimile (216)781-9227

tpavlik@nrplaw.com

CERTIFICATE OF SERVICE

I certify that a true and accurate copy of the foregoing was sent on this 14th day of July, 2009, via regular mail, to the following:

Gregg M. Galardi, Esq lan S. Fredericks, Esq. Skadden, Arps, Slate, Meagher & Flom, LLP One Rodney Square PO Box 636 Wilmington, DE 19899

Dion W. Hayes Douglas M. Foley McGuirewoods, LLP One James Center 901 E. Cary Street Richmond, VA 23219

Chris L. Dickerson, Esq. Skadden, Arps, Slate, Meagher & Flom, LLP

333 W. Wacker Drive Chicago, IL 60606

Thomas C. Pavilk (0017305)